

## **The complaint**

Mr G is unhappy with Bank of Scotland trading as Halifax. He isn't happy with the service provided to him, specifically during telephone calls and around the handling of his Data Subject Access Requests (DSARs).

## **What happened**

Mr G made numerous points he was unhappy about. These included main themes such as these noted below:

He didn't feel he should have to provide a phone number for when he made calls to Halifax from a withheld number so it could trace call records.

There were issues with his different DSAR requests.

He couldn't speak to a member of staff when calling the DSAR dedicated voicemail number and wanted to be called back.

There were issues with the Customer Financial Assistance Team.

Mr G felt he needed to check who bank staff were working for. He exemplified this by trying to make contact with Halifax credit cards but said he was put through to personal banking. I noted on calls he often asked where geographically the person answering the call was based.

Mr G was sent a Personal Banking PIN SMS – But he hadn't requested it so it should never have been sent.

Mr G's details being passed to the NHS 111 services.

Halifax said it couldn't find the calls made from the withheld number unless it was given the actual phone number, an idea of time, dates, who Mr G spoke to, etc. Without these details it said it couldn't comment further. Halifax said it followed that despite Mr G saying Halifax's DSAR Team could access all the information it wasn't feasible for it to listen to every single call. Halifax confirmed these later, further DSAR requests (he'd made previous earlier requests) made by Mr G were complex and so took longer to complete but were issued to Mr G by post and electronically. It stated the dates the requests had been dealt with too.

Regarding being put through to the right department Halifax said, *"Providing you called the correct Halifax credit cards contact number you would've been put through to credit cards."* It concluded as Mr G wasn't willing to give the contact number he had used it couldn't comment further. It said the same applied to any interactions with the Customer Financial Assistance Team. Without details it said it couldn't comment or consider the level of service it had provided.

On the issue of the Personal Banking PIN SMS Halifax said the PIN makes it easier to verify customers when they call in. It said if Mr G didn't want one, he could ignore any SMS

received. It said the telephone number on the back of his debit card could be contacted to check if the message was genuine. Halifax said it took all the relevant factors into consideration to reach a fair outcome. It also noted its DSAR phone number is not set up for staff to speak to customers right away. It is for a message to be left and then Halifax staff can review before taking any required action.

Mr G remained unhappy and brought his complaint to this service.

Our investigator didn't uphold the complaint. He pointed out to Mr G that he was dealing with all of the complaint points in one complaint rather than the two Mr G wanted. He confirmed he had listened to all the call recordings originally provided and confirmed details of all the dates and times of these recordings in his view and in a separate, further email to Mr G. Our investigator also pointed out that anything that is considered complaint handling isn't a regulated activity and not something this service can comment on. Regarding the calls and the withheld number, he said it was reasonable for Halifax to ask for details and some additional questions. Our investigator didn't think Halifax had got anything wrong and suggested Mr G may want to contact the Information Commissioners Office if he wishes to take this specific point further. He accepted that Halifax intentionally don't have staff answering the calls Mr G was unhappy about. So, he didn't think it had done anything wrong. Regarding the SMS our investigator concluded Halifax didn't need permission to send it but could have handled the call better. He didn't think it needed to take further action though. On the point of Mr G's details being passed to NHS 111 services our investigator said this number doesn't represent an emergency to life. But he accepted in view of the serious nature of the words used by Mr G it wasn't disproportionate for Halifax to have passed on the details.

Mr G didn't accept this and asked for his complaint to be passed to an ombudsman for a final decision.

### **What I've decided – and why**

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I confirm as our investigator did when he sent out his view that all of the complaint points Mr G wanted looked at as two separate complaints have all been dealt with as one. All of the issues are linked. I have stuck to what I see as the key and central components of Mr G's complaint. I haven't separated out everything. But I can confirm everything has been considered.

There has been time taken on this complaint. Extensions in time have been granted and opportunities given to both parties to provide further evidence and information. I note that just this week Mr G has produced details of other telephone calls. But our investigator had on two previous occasions confirmed what calls he had listened to and taken account of when coming to his view.

He also went back to Mr G to point out that this service can't get access to these calls and so we can't listen to them. Mr G hasn't responded to that point and based on everything I've seen and reviewed already in this complaint I don't think these later calls are likely to change anything around my findings as I would have expected them to have been produced much earlier if they offered any further insight. Mr G has stated throughout that he had all the calls and had listened to them.

Mr G made many points about Halifax staff being lazy, making mistakes, messing things up and not helping him. He said he had to waste many hours on the phone talking to numerous

members of Halifax staff about all of the issues it created. Mr G said he wanted compensation for these issues.

Halifax said it couldn't consider some of Mr G's complaint as he wouldn't provide details it requested of call times and dates or the number he called from. I think that's fair comment. I don't see what else Halifax could do in the circumstances. So, I don't think Halifax has acted unfairly or unreasonably here.

The DSAR requests made by Mr G were dealt with by Halifax. Mr G has referred to many calls with different staff around the country. But Halifax has shown that in view of the requests being classed as complex it was entitled to take a longer timescale to complete them. And it is clear the timescales taken for responding to the DSAR's were reasonable. Mr G isn't happy, but I think Halifax acted fairly and reasonably in the way it dealt with these, and I don't think there's any problem with how quickly it responded or the formats it provided.

I can understand that Mr G wasn't happy about having to leave a message rather than speak to a Halifax staff member. It's clear that's his preferred method for communication. But Halifax has a process that it follows for such issues, and this means the phone number is only for customers to leave a message. It then gets on with the process and deals with call backs. This is the system Halifax works, and it shows no errors were made. Mr G was in regular conversation with Halifax anyway, so I think it has acted fairly and reasonably here.

Mr G said there were difficulties for him when he wanted to speak to the Customer Financial Assistance Team. But Halifax maintained without a specific number Mr G called on there wasn't anything it could action or suggest to resolve this. It said for now it couldn't comment. I've no reason to dispute this. I'll refer to Mr G's points about this Halifax team again later in this decision.

Mr G was worried about who was getting to access his information and felt he was being put through to the wrong parts of the organisation when he was calling in. On calls staff said this may have been due to what he had said to the automated system, which would then decide where to place Mr G. But Halifax was happy with where Mr G was getting through to and said he wasn't being put through to the wrong departments. Halifax said if Mr G called the credit card contact number, he would be put through to credit cards. It said calls go where customers select them to from the options provided. Halifax also said it has overflow arrangements for busy times to still ensure customers get to the right place. I noted Mr G was keen to ask where he was through to and where in the country the staff member was based. Halifax again stated as Mr G wasn't willing to confirm the withheld number he was calling in on, it could only comment on calls it was able to review. I can't say Halifax acted unreasonably or unfairly here.

Regarding the personal banking PIN SMS. This happened during a trickier telephone conversation between Mr G and a Halifax member of staff. Mr G was clear he never requested the SMS. Halifax said the SMS just gives customers the option to set up a telephone banking PIN. Halifax said this makes it easier to verify customers when they call. Mr G could just ignore such contact if he so wished. I think the matter could have been handled better and perhaps the call would have improved if it hadn't been transferred. But based on how the call was going I can understand why the transfer did take place. It was Mr G who wasn't happy so getting him to the right department quickly does seem to me to have been reasonable. I note throughout that Mr G said staff were lazy, stupid, unhelpful, useless, and rude. But I listened to all the calls we have, and I didn't come across that in the way Halifax tried to deal with Mr G's requests.

Regarding the NHS 111 phone call issue, in his correspondence with this service Mr G said of the Halifax staff member *"She almost killed me with a heart attack. She is so bad, she*

*should be dismissed on the spot!!!!* So, if Mr G feels like that during a call with Halifax, then I don't think there's any doubt there's going to be action from a business. It was clear, particularly early on in the call that Mr G was getting very upset. His record of such a call, like his comment above, confirms how he felt during telephone conversations with Halifax. So, I don't think Halifax has much choice other than to make sure it has done everything it can to make sure its customers are ok. It has to put customer safety first and take customer comments seriously. I don't think I can say that Halifax acted unreasonably on this point.

In relation to the overdraft recovery I've read all the letters sent to Mr G by Halifax explaining how the process works, when interest applies and when it stops, the difference between the arranged and the unarranged overdraft, etc. I note Halifax confirmed when it wasn't charging interest and when the arranged overdraft went back to normal. Mr G is unhappy about the letters and said he got extra letters, more than he expected or that Halifax said he was going to get. Either way, from the letters Mr G has shared I don't think Halifax did anything wrong. The letters are all explaining the process at the point they are sent to him. I'd expect Halifax to make sure Mr G is up to date information wise, so I don't think it was harassment – I think it was reasonable. Mr G said he had no communication to acknowledge the overdraft being cleared. Based on the correspondence I've seen, and I note in the recent batch from Mr G there's a letter dated 16 April 2024 from Halifax confirming the arranged overdraft details and arrangements are returning to normal.

Mr G was concerned about what Halifax reported to Credit Reference Agencies. I can understand that. He said that he discussed this element with the Customer Financial Assistance Team. Mr G didn't like that he was told to contact the Credit Reference Agencies directly. I can't comment on what action any other institution took when Mr G asked it something similar. All I can say is that Halifax is required to provide accurate information to such organisations. Mr G hasn't produced or highlighted any evidence to this service of Halifax getting that wrong. I've not seen anything to support his position that Halifax has incorrectly and adversely affected his credit file.

As mentioned above and confirmed earlier by our investigator to Mr G this service can't deal with how Halifax handled his complaint as that isn't a regulated activity.

### **My final decision**

I don't uphold this complaint.

I make no award against Bank of Scotland trading as Halifax.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr G to accept or reject my decision before 13 June 2025.

John Quinlan  
**Ombudsman**